

ASSEMBLY BILL

No. 1003

Introduced by Assembly Member John A. Perez

February 27, 2009

An act to amend Section 13823.17 of the Penal Code, relating to domestic violence.

LEGISLATIVE COUNSEL'S DIGEST

AB 1003, as introduced, John A. Perez. Domestic violence grants.

Existing law establishes a grant program for the development and support of domestic violence programs and services for the gay, lesbian, bisexual, and transgender community. Existing law requires the Office of Emergency Services (OES) to use funds from the Equality in Prevention and Services for Domestic Abuse Fund to award up to 4 grants annually to fund domestic violence programs and services for the gay, lesbian, bisexual, and transgender community, including, but not limited to, all of the following: (1) 24-hour crisis hotlines, (2) counseling, (3) court and social service advocacy, (4) legal assistance with temporary restraining orders, devices, and custody disputes, (5) community resource and referral, (6) household establishment assistance, (7) emergency housing, and (8) educational workshops and publications.(PU CHP200700179)

This bill would revise that provision to instead specify that the OES shall award grants annually to fund domestic violence programs and services for that community, including, but not limited to, any of the components described above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 13823.17 of the Penal Code is amended to read:

13823.17. (a) The Legislature finds the problem of domestic violence in the gay, lesbian, bisexual, and transgender community to be of serious and increasing magnitude. The Legislature also finds that existing domestic violence services for this population are underfunded and that members of this population are unserved or underserved in the state. Therefore, it is the intent of the Legislature that a goal or purpose of the Office of Emergency Services (OES) shall be to increase access to culturally appropriate domestic violence education, prevention, and services for the gay, lesbian, bisexual, and transgender community.

(b) The goal of this section is to establish a targeted or directed grant program for the development and support of domestic violence programs and services for the gay, lesbian, bisexual, and transgender community. The OES shall use funds from the Equality in Prevention and Services for Domestic Abuse Fund to award up to four grants annually to qualifying organizations, with at least one in southern California and one in northern California, to fund domestic violence programs and services including, but not limited to, any of the following:

- (1) Twenty-four-hour crisis hotlines.
- (2) Counseling.
- (3) Court and social service advocacy.
- (4) Legal assistance with temporary restraining orders, devices, and custody disputes.
- (5) Community resource and referral.
- (6) Household establishment assistance.
- (7) Emergency housing.
- (8) Educational workshops and publications.

(c) Each grant shall be awarded for a three-year term for the purposes of this section.

(d) In order to qualify for a grant award under this section, the recipient shall be a California nonprofit organization with a demonstrated history of working in the area of domestic violence education and prevention and serving the lesbian, gay, bisexual, and transgender community.

1 (e) The funding process for distributing grant awards to
2 qualifying organizations shall be administered by the OES as
3 follows:

4 (1) Grants that were not funded in the previous cycle shall be
5 awarded to qualifying organizations as a result of a competitive
6 request for proposal (RFP) process. The RFP process shall comply
7 with all applicable state and federal statutes and to the extent
8 possible, the response to the RFP shall not exceed 15 narrative
9 pages, excluding attachments.

10 (2) The following criteria shall be used to evaluate grant
11 proposals:

12 (A) Whether the proposed program or services would further
13 the purpose of promoting healthy, nonviolent relationships in the
14 lesbian, gay, bisexual and transgender community.

15 (B) Whether the proposed program or services would reach a
16 significant number of people in and have the support of the lesbian,
17 gay, bisexual, and transgender community.

18 (C) Whether the proposed program or services are grounded in
19 a firm understanding of domestic violence and represent an
20 innovative approach to addressing the issue.

21 (D) Whether the proposed program or services would reach
22 unique and underserved sectors of the lesbian, gay, bisexual, and
23 transgender community, such as youth, people of color, immigrants,
24 and transgender persons.

25 (3) Grant funds shall not be used to support any of the following:

26 (A) Scholarships.

27 (B) Awards to individuals.

28 (C) Out-of-state travel.

29 (D) Projects that are substantially completed before the
30 anticipated date of the grant award.

31 (E) Fundraising activities.

32 (4) Organizations reapplying for grants shall not be subject to
33 a competitive grant process, but shall be subject to a request for
34 application (RFA) process. The RFA process shall consist in part
35 of an assessment of the past performance history of the organization
36 in relation to the standards established by this section. The response
37 to the RFA shall not exceed 10 narrative pages, excluding
38 attachments.

39 (5) Any organization funded through this program in the
40 previous grant cycle shall be funded upon reapplication, unless,

1 pursuant to the assessment required under the RFA process, its
2 past performance history fails to meet the standards established
3 by this section.

4 (f) Grant recipients may seek, receive, and make use of any
5 funds which may be available from all public and private sources
6 to augment any funds received pursuant to this section.

7 (g) The OES may adopt rules as necessary to implement the
8 grant program created under this section.

9 (h) The OES may hire the support staff and utilize all resources
10 necessary to carry out the purposes of this section.

11 (i) For purposes of this section, “domestic violence” means the
12 infliction or threat of physical harm against past or present adult
13 or adolescent intimate partners, including physical, sexual, and
14 psychological abuse against the person, and is a part of a pattern
15 of assaultive, coercive, and controlling behaviors directed at
16 achieving compliance from or control over that person.